

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 6-3-71 by defendants
6-11-71 by plaintiffs

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS						
SAM BAGBY VS MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, a Delaware corporation		For plaintiff: Jack B. Sellers 220-9730 Allen B. Mitchell 300 East Lee Sapulpa, Oklahoma 74066 For defendant: 683-2711 BONDS, MATTHEWS & MASON Bonds 444 Court Street P. O. Box 1906 Muskogee, Oklahoma 74401						
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 6-1-71	Clerk		1971 5-26	Bonds	15	00		
J.S. 6 mailed 12-1-71	Marshal		5-27-71	C.D.No. 52			15	00
			2-25-72	Sellers	5	00		
			3-2-72	C.D.No.39			5	00
Basis of Action: Removal judgment for personal and property damage	Docket fee							
	Witness fees							
Action arose at: Tulsa	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-26-71	Petition for Removal from District Court of Tulsa County, filed. ds	
5-26-71	Removal bond, filed. MKT RR Co. Principal and Great American Ins. Company, of New York, Surety, in the sum of \$500.00. ds	
6-3-71	Defendant's answer, filed. ds	
6-3-71	Defendant's jury trial demand, filed. ds	
6-11-71	Plaintiff's demand for jury trial, filed. ds	
6-16-71	Motion for leave to file amended sheriff's return, filed. ds	
6-17-71	Leave granted to file amended sheriff's return, this 17 day of June, 71, filed. (AEB-J) (part of motion) v	
6-17-71	Amended sheriff's return for service of summons, filed. v	
6-18-71	Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) v	
7-6-71	Plaintiff's first interrogatories to defendant, filed. v	
7-20-71	Defendant's Answers to Plaintiff's interrogatories, filed. ds	
7-23-71	Motion for additional time to file pre-trial order of plaintiff, filed. v	
7-23-71	Order granting an extension of time to file pre-trial order for 10 additional days from 7-23-71 to 8-2-71, filed. (JHP-CC) v	
8-2-71	Motion of Pltf. for additional time to file pre-trial order, filed. v	
8-2-71	Order for extension of time to file pre-trial order an additional length of time from August 2, 1971, to and including August 9, "71, filed. v	
8-16-71	Pre-trial Order, filed. (AEB-J)v	
9-2-71	It is ordered that this case is set for Jury Trial on Friday, October 22, 1971 at 10:00 A.M. (AEB-J)h	
10-21-71	Deposition of Sam Bagby, taken on behalf of defendant, filed. g (\$49.00)	
10-21-71	Deposition of Wayne Slenkard, W. T. Compton and Harold Looney, taken on behalf of plaintiff, filed. (\$81.00)g	
10-22-71	Case passed to 11-1-71 for jury trial. (AEB-J)m	
10-1-71	Ordered by the Court that this case is transferred to Judge Howard C. Bratton. (AEB-J)m	
11-1-71	Case called for jury trial. Parties represented. Case passed to 9:00 A.M., Tuesday, Nov. 2, 1971. (Howard C. Bratton-Judge)m	
11-2-71	Case passed to 11-3-71 at 9:00 A.M. (HCB-J)m	
11-3-71	Case tried to a jury. Parties announce ready for trial. Jury returns with verdict for the deft. Verdict ordered received, read & filed in open court. Jury discharged. Judgment to be entered by the Clerk 11-4-71. (Howard C. Bratton-Judge)(Margaret M. Wilkins, CSR)m	
11-3-71	Plaintiff's requested voir dire, filed. m	
11-3-71	Two questions from jury, filed in open court (on one sheet of paper).m	
11-3-71	Verdict for the Defendant, filed in open court. m	
11-3-71	Trial exhibits, filed. (X-rays in exhibit room)m	
11-4-71	Judgment on jury verdict, filed and entered, that pltf. take nothing and deft. recover of pltf. its costs of action. (JHP-Clerk)m (copies mailed)	
11-12-71	Pltf's motion for new trial, with brief in support, filed. m	added Judge
11-12-71	Pltf's motion for extension of time to file supplemental brief supporting motion for new trial, with brief in support, filed. m	copy mailed Judge
11-15-71	Amendment to motion for new trial, filed. (with brief in support)m	
11-17-71	Ordered by the Court that pltf. is granted an extension of time until 12-10-71 to file a supplemental brief in support of motion for new trial. (Howard C. Bratton-Judge)m (letter written)	
12-15-71	Supplemental brief supporting motion for new trial, filed. m	mailed
12-22-71	Deft's response to pltf's motion for new trial, filed. m	mailed

(continued)

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1-17-72	Memorandum opinion, filed. (Howard Bratton-Judge)hm (copies mailed)	
1-17-72	Order, filed and entered, that pltf's motion for new trial is denied. (Howard Bratton-Judge)hm (copies mailed)	
1-17-72	Partial transcript of proceedings, filed. hm	
2-16-72	Notice of appeal by plaintiff, filed. (cpy to USCA, Bonds)g	
2-16-72	Bond on appeal (\$250.00) cash, filed. g	
2-25-72	Designation of transcript of proceedings for inclusion on record on appeal, filed. g	
3-20-72	Order extending time to docket appeal to 4-10-72, filed. (Bratton-J)	g <i>you mailed</i>
4-10-72	Transcript of testimony & proceedings held 11/3/71, filed. rm (Margaret M. Wilkins - Ct. reporter)	
4-10-72	Appeal record (in two volumes) sent to U.S.C.A. rm	
11-20-72	Mandate & Opinion of USCA, affirming judgment of 11-4-71, filed and spread of record. g	
11-22-72	Appeal record (2 vols.) rec'd from USCA. g Exhibits ret. to counsel.	
11-29-72	Pltf's Mot. for Ord. directing clerk to disburse appeal bond, filed.	r
11-29-72	Order to disburse cash appeal bond, filed. (AEB-J)r (Copies mailed)	

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